United Nations A/HRC/WG.6/28/BEN/1

General Assembly

Distr.: General
7 August 2017
English
Original: French

Human Rights Council
Working Group on the Universal Periodic Review
Twenty-eighth session
6-17 November 2017

National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21*

Benin

* The present document has been reproduced as received. Its content does not imply the expression of any opinion whatsoever on the part of the Secretariat of the United Nations.

GE.17-13458 (E) 050917 080917

Please recycle

Introduction

1. This report covers the period from November 2012 to July 2017 and has been submitted in accordance with:

- United Nations General Assembly resolution 60/251 of 15 March 2006, in which the Assembly established the Human Rights Council
- The Human Rights Council resolutions of 18 June 2007 on institution-building
- Resolution 16/21 of 25 March 2011 on the outcome of the review of the work and functioning of the Council
- Human Rights Council decision 17/119 of 17 June 2011 concerning general guidelines for the preparation of information under the universal periodic review

I. Methodology and consultation process

2. Pursuant to the Human Rights Council's general guidelines, this report was prepared through an inclusive national consultation process in which State bodies and civil society actors, supported by United Nations specialized agencies, helped to gather information under the coordination of the Department for Prison Administration and the Protection of Human Rights of the Ministry of Justice and Legislation.

3. This report was examined by a committee of experts before being validated by the National Committee to Monitor the Implementation of International Human Rights Instruments, with additional representation by members of the National Human Rights Advisory Council.

4. The process was facilitated by technical and financial assistance from the Office of the United Nations High Commissioner for Human Rights, the International Organization of la Francophonie and the United Nations Development Programme, through the Project to Improve Access to Justice and Ensure Accountability.

5. The report presents developments related to the legal and institutional framework for the promotion and protection of human rights. It contains information on the measures taken to implement the recommendations from the previous review, the progress made, best practices, challenges and initiatives that could improve the human rights situation on the ground.

II. Development of the legal and institutional framework

6. In addition to the international instruments ratified by the Republic of Benin during the period under review, a number of laws and regulations help to strengthen the protection of different segments of the population.

A. Legal framework

1. The Constitution

7. There have been two draft revisions of the Constitution of 11 December 1990. The most recent bill, which was submitted to parliament for consideration and adoption in March 2017, and which included, inter alia, a provision on the abolition of the death penalty, could not be adopted because of the lack of a quorum.

2. Other legislative measures

8. Several laws were adopted during the reporting period, and others are pending adoption:

- Act No. 2016-24 of 11 October 2016 on the legal framework for public-private partnerships in the Republic of Benin
- Act No. 2016-16 of 4 October 2016, amending and supplementing Act No. 2008-07 of 28 February 2011 on the Code of Civil, Commercial, Social, Administrative and Accounting Procedure of the Republic of Benin
- Act No. 2016-15 of 4 October 2016, amending and supplementing Act No. 2001-37 of 10 June 2002 on the organization of the judiciary in the Republic of Benin
- Act No. 2016-12 of 16 June 2016 on community service in the Republic of Benin
- Act No. 2015-08 of 8 December 2015 on the Children's Code of the Republic of Benin
- Act No. 2015-18 of 2 April 2015 on the General Civil Service Regulations
- Act No. 2015-19 of 2 April 2015, amending and supplementing Act No. 86-014 of 26 September 1986 establishing the Code of Civil and Military Retirement Pensions
- Act No. 2015-07 of 20 March 2015 on the Information and Communication Code of the Republic of Benin
- Act No. 2014-22 of 30 September 2014 on digital broadcasting in the Republic of Benin
- Act No. 2014-14 of 9 July 2014 on electronic communications and the postal service in the Republic of Benin
- Act No. 2013-06 of 25 November 2013 on the Electoral Code of the Republic of Benin
- Act No. 2013-09 of 3 September 2013 on the determination of electoral boundaries and the location of polling stations in the Republic of Benin
- Act No. 2013-01 of 14 August 2013 on the Code on Private and State-owned Land of the Republic of Benin
- Act No. 2012-15 of 18 March 2013 on the Code of Criminal Procedure of the Republic of Benin
- Act No. 2012-36 of 15 February 2013 on the establishment of the Benin Human Rights Commission
- Act No. 2013-05 of 15 February 2013 on the establishment, organization, powers and functions of local government authorities in the Republic of Benin

9. Some texts that have been adopted are awaiting promulgation: the laws on the identification of natural persons, the Digital Code of the Republic of Benin, special economic zones and the promotion and protection of the rights of persons with disabilities. Other texts pending adoption include the bills on:

- The Criminal Code
- Human trafficking
- The prison system
- The creation of the special prison corps

10. Several regulations were adopted during the reporting period to back up the various legislative measures; they include:

- Decree No. 2015-161 of 13 April 2015 on the establishment, powers, organization and functions of the National Institute for Women
- Decree No. 2014-315 of 6 May 2014 on arrangements for the implementation of Act No. 2012-36 of 15 February 2013 on the establishment of the Benin Human Rights Commission

- Decree No. 2012-416 of 6 November 2012 establishing the norms and standards applicable to children's shelters and protection centres

B. General policy measures

11. The general policy measures adopted and implemented include:

- The designation, in 2016, of the capitals of the new departments, and the appointment of prefects on the basis of the criteria listed in article 8 of Act No. 97-028 of 15 January 1999 on the organization of territorial administration in the Republic of Benin.
- The development, in 2015, of the national action plan to implement resolution 13/25.
- The completion of several studies, including on: poverty trends in Benin between 2007 and 2015; household income inequality and polarization; and key sectors of the Beninese economy.
- The holding, in September 2016, of the fourth national day of dialogue on the topic: "Using evaluation results to change the living conditions of the population".
- The adoption, in January 2017, of the Government Programme of Action for the period 2016-2021, which consists of 45 flagship projects, 95 sectoral projects and 19 institutional reforms. The Programme aims to strengthen democracy and good governance, promote the structural transformation of the economy and improve the living conditions of the population.
- The signing, on 3 August 2016, of a national charter on social dialogue between the Government and trade unions.
- The development of the national action plan to eliminate the worst forms of child labour in Benin for the period 2012-2015.
- The development, in 2014, of a national action plan to combat racial discrimination.
- The development of the national health development plan for the period 2009-2018.
- The adoption, in October 2014, of the national child protection policy and the national justice sector development policy.

C. International instruments ratified

12. Several regional and international instruments were ratified, namely:

- The Arms Trade Treaty, on 26 April 2017
- The Convention on Cluster Munitions, on 25 April 2017
- The declaration under article 34 (6) of the Protocol to the African Charter on Human and Peoples' Rights on the Establishment of the African Court on Human and Peoples' Rights
- The Protocol to the African Charter on Human and Peoples' Rights on the Establishment of the African Court on Human and Peoples' Rights, in September 2014
- The Convention on Protection of Children and Cooperation in respect of Intercountry Adoption, on 25 February 2014

13. The process of ratifying other international instruments that have been the subject of recommendations was initiated and is ongoing. These instruments include:

- *The Kampala amendments to the Rome Statute*
- The Optional Protocol to the Convention on the Rights of the Child on a communications procedure

- The Optional Protocol to the International Covenant on Economic, Social and Cultural Rights
- The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

D. Institutions for the promotion and protection of human rights

14. The institutional framework has been strengthened through the creation of human rights structures and institutions:

- The establishment, in 2013, of the National Anti-Corruption Authority pursuant to Act No. 2011-20 of 12 October 2011 on combating corruption and other related offences in the Republic of Benin.
- The appointment, in 2017, of the members of the national authority responsible for international adoption.
- The establishment of regional offices of the Ombudsman in the former departmental capitals.

15. Pursuant to Act No. 2012-36 of 15 February 2013 on the establishment of the Benin Human Rights Commission and to its implementing Decree No. 2014-315 of 6 May 2014, the call for nominations to the Commission has been launched and the process is ongoing.

III. Promotion and protection of human rights on the ground and compliance with international obligations

16. To ensure the effective enjoyment of human rights, Benin has taken various measures aimed at both promoting and protecting human rights and complying with the obligations that it freely committed to fulfilling during the consideration of its report under the universal periodic review procedure in 2012.

A. Promotion and protection of human rights on the ground

1. Civil and political rights

The right to life and physical integrity

17. In fulfilment of the commitment arising from its ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, Benin is continuing with consultations with a view to finalizing and adopting the new Criminal Code, which provides for the abolition of the death penalty.

18. By decision DCC 16-020 of 21 January 2016, the Constitutional Court ruled that the ratification and subsequent entry into force of the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty renders null and void any legal provision that imposes the death penalty as a punishment.

Combating torture and other cruel, inhuman or degrading treatment or punishment

19. The draft Criminal Code that is in the process of being adopted defines and criminalizes torture.

20. Some provisions of Act No. 2012-15 of 18 March 2013 on the Code of Criminal Procedure of the Republic of Benin — articles 59, 147 and 808, for example — also represent significant progress with regard to respecting the general principles of criminal justice in the fight against torture. The Government and civil society organizations have disseminated the Code to enhance the public's understanding of it.

Detention conditions

21. Efforts have been made to improve prison conditions and reduce overcrowding, including through the completion of studies on bringing old prisons up to standard and building and equipping new prisons.

22. A number of judicial guarantees have been afforded to persons deprived of their liberty since the adoption of the Code of Criminal Procedure, including through the establishment of a liberty and custody court, the appointment of liberty and custody judges and the creation of a national commission on compensation for unlawful imprisonment.

23. While these measures have not provided a definitive solution to the problem of poor prison conditions, they have significantly relieved overcrowding and, to a certain extent, the suffering of prisoners.

Human trafficking, slavery and similar practices

24. Benin has introduced the Children's Code, which incorporates the provisions of the Convention on the Rights of the Child.

25. The Act covers and punishes offences against children, such as: sexual harassment; infanticide, including ritual infanticide; trafficking in children; forced begging; abandonment; murder; child marriage; the use of children in the smuggling and use of drugs and other narcotic substances; female genital mutilation; child pornography; paedophilia; bestiality; and the use of children in armed conflicts.

26. The Act has been disseminated throughout the country.

27. Several child traffickers have been prosecuted, and victims are cared for in public and/or private care facilities.

28. With the support of technical and financial partners, Benin has embarked on the process of adopting a law and action plan to prevent human trafficking, protect the victims and prosecute the perpetrators.

Freedoms of opinion, the press and expression

29. The freedoms of opinion, the press and expression have been strengthened during the reporting period through the adoption of the Information and Communication Code.

30. The Code provides for, inter alia:

- The decriminalization of press offences
- Access for all citizens to administrative information
- The protection of children and adolescents, and respect for the human person
- The protection of privacy and of the presumption of innocence
- The exclusive right to one's own image and control of its use

31. As a result, there are currently no imprisoned journalists or prisoners of conscience in Benin.

32. Case law further strengthens the freedoms of the press, opinion and expression in Benin. In its judgment No. 019/17-CHI. Civ. Mod of 22 May 2017, the Court of First Instance (first class) of Cotonou ordered Adam Boni Tessi, in his official capacity as President of the Audiovisual and Telecommunications Authority, to pay the company Idéale Production SARL 50 million CFA francs (CFAF) in damages in connection with a case involving the adoption of provisional measures against the television network SIKKA-TV.

Non-discrimination

33. The principle of non-discrimination, which is enshrined in the Constitution, has been strengthened through the adoption of several laws, including:

- Act No. 2017-06 of 13 April 2017 on the promotion and protection of the rights of persons with disabilities
- Act No. 2015-08 of 8 December 2015 on the Children's Code

34. To eliminate disparities between the treatment given to legitimate and natural children, a bill to harmonize Act No. 2002-07 of 24 August 2004 on the Personal and Family Code is in the process of being adopted.

35. In its decision DCC 14-172 of 16 September 2014, the Constitutional Court ruled on the constitutionality of articles 8, 12 (2), 13 and 18 of Act No. 65-17 of 23 June 1965 on the Nationality Code in force in the Republic of Benin. According to the Court, the articles introduce distinctions in the attribution or acquisition of Beninese nationality through birth, filiation or marriage without justifying them. They are therefore discriminatory, in that they undermine the principle of equality between men and women.

2. Economic, social and cultural rights

Right to work and to just and favourable conditions of work

36. Act No. 98-004 of 27 January 1998 on the Labour Code is being revised. The planned changes relate, inter alia, to labour conventions, working conditions and the settlement of labour disputes.

37. Specific measures have been taken to promote youth employment. These include programmes implemented by the State through the National Agency for the Promotion of Employment, the facilitation of access to credit and the microcredit programme for the poorest people, the National Fund to Promote Youth Employment and the establishment of a national corps of young volunteers to boost development in the Republic of Benin.

38. In 2016, thanks to the implementation of these measures, the National Agency for the Promotion of Employment was able to:

- Offer contracts to 6,494 interns from the class of 2015.
- Recruit around 2,000 interns who benefit from its programmes.
- Operationalize nine business promotion centres, which are employment resource centres.
- Turn three business promotion centres into incubator facilities that will accommodate some 200 companies for a period of two years.

39. On 17 April 2014, the guaranteed minimum wage was raised by 26.48 per cent from CFAF 31,625 to CFAF 40,000.

40. Civil service recruitment competitions are organized in various fields of employment.

Trade union rights

41. Trade union rights are exercised freely, in compliance with the regulations in force.

42. A national framework has been established for social dialogue through the signing, on 3 August 2016, of a national charter on social dialogue by the Government, the National Employers Council and trade unions.

43. The charter is aimed at, inter alia, preventing and managing social conflicts in accordance with laws, regulations and collective agreements, strengthening the democratic process and promoting good governance in the public and private sectors.

44. A sectoral committee on social dialogue has been set up in each ministry.

45. There is also a national commission on collective bargaining and consultation between the Government and trade unions.

Right to an adequate standard of living

46. Various initiatives have been undertaken to offer the population better access to basic social services.

Right to water

47. The State, with the support of technical and financial partners, has been unceasing in its efforts to increase the population's access to drinking water. To that end, boreholes have been drilled in a number of localities where access to water remains problematic.

48. The number of people obtaining drinking water from the national water company has been increasing year on year. To be precise, according to recent statistics, the number of people connected to the national water grid stood at 2,720,146 in 2015, compared to 2,637,903 in 2014.

49. Some households prefer to obtain water from wells.

50. In short, considerable efforts are being made, but ensuring permanent access to good-quality water remains a challenge.

Right to food

51. In 2014, with 11.2 per cent of the population considered to be suffering from hunger, Benin achieved target 1.C of the Millennium Development Goals, namely to "halve, between 1990 and 2015, the proportion of people who suffer from hunger", which reflects the fact that there has been some economic growth.

52. This growth, which has averaged 5 per cent in recent years, is largely due to the good performance of the agricultural sector.

53. Nevertheless, the food security situation remains a concern.

54. Benin still ranks among the countries with high levels of hunger. In 2013, a Comprehensive Food Security and Vulnerability Analysis carried out at the national level revealed that the food consumption of 23 per cent of households was not sufficient to enable them to lead an active and healthy life.

55. Moreover, Benin has experienced "losses" in human development — operating at only around 35 per cent of its potential — because of inequalities of all kinds, including with regard to access to food, which means that it is not food self-sufficient.

Right to housing and land management

56. The demand for housing in Benin far outstrips supply. In both rural and urban areas, the Beninese population continues to face difficulties with regard to access to housing.

57. The Government has undertaken initiatives to promote social housing, but not all of them have proved successful.

58. In view of the speculative practices of landlords, a number of bills have been drafted by members of parliament to regulate the rental sector. Since October 2015, the Law Commission has begun studying two bills to regulate rents in Benin.

59. The new Code on Private and State-owned Land has brought about real change in terms of enhancing land tenure security through the creation of land management agencies.

60. The handling of land disputes has been improved through the establishment of a pretrial phase, a new statute of limitations applicable to land matters and a new framework for the enforcement of judgments in such matters.

61. In addition, new tools for proving ownership, namely a landownership certificate and a rural land certificate, have been developed.

Right to health

62. The Government gives effect to the right to health through a policy aimed at strengthening infrastructure in urban and rural areas and at improving access to health care and the quality of health-care services for the whole population.

63. The national health policy is carried out at three levels of the health pyramid: the central level, the departmental level and the operational level (health zone).

64. During the reporting period, the following progress was made:

- Five departmental hospitals (Ouémé, Borgou, Atacora, Zou and Mono) were brought up to standard.
- Six departmental health offices were created, and, as a result, there are plans to build six departmental hospitals and a university hospital in Abomey-Calavi.
- HIV/AIDS screening and care were improved.
- Free treatment was provided to combat mother-to-child transmission of HIV/AIDS.
- The number of functional health zones was increased.
- Caesarean sections continued to be performed free of charge.
- Free psychosocial and medical assistance was provided to women affected by obstetric fistula.
- The cost of emergency obstetric and neonatal care was reduced.
- An accelerated plan to combat malaria was implemented with the aim of achieving a 25-per-cent reduction in the number of deaths from malaria by 2025.
- Free malaria treatment was offered to children under 5 years of age and pregnant women.
- Treatment for tuberculosis continued to be provided free of charge.
- The budget of the Health-Care Fund for the Poor was increased.
- The National Welfare Agency was set up.
- Long-lasting insecticidal mosquito nets were distributed to all households on an annual basis.
- Indoor residual spraying was used in some areas where malaria is endemic.
- Vaccination coverage was expanded according to the type of vaccine.
- A results-based management and contractual system was implemented.

65. The various measures taken by the Government seek to improve access to health care for the whole population, particularly the most disadvantaged sectors of society.

Right to education

66. The commitment of Benin to making education accessible to all has been fulfilled gradually over the last 10 years. A number of private institutions are working alongside the various schools and facilities created by the State to give effect to the right to education.

67. A free-education policy is being followed and has been extended to higher education.

68. The skills-based programmes introduced in the education system enable students to participate actively in lessons and thereby gain a better understanding of the concepts taught. Their aim, therefore, is to help students to apply the skills and lessons learned in their daily lives.

69. Benin has made a commitment to implement teaching programmes and organize the university system according to the three-level model of education: bachelor's degree, master's degree, doctorate. This model is set to become the international standard for higher education.

70. The structure of the university system has been altered. The number of public universities was reduced from seven in 2015/16 to four at the beginning of the 2016/17 academic year thanks to the rational and efficient management of available resources and the quality of the education provided.

71. At the academic level, reforms have made it possible to approve several training programmes run by private higher education institutions.

72. The National Education Council ensures compliance with education standards. By decision of the Council of Ministers on 11 May 2016, the Government decided to set up a technical committee to implement and monitor reforms concerning the administration of the education system.

B. Compliance with international obligations

73. Benin is bringing its national legislation into line with international standards through the adoption of the various laws mentioned above.

74. During the period under review, Benin submitted the following reports to the treaty bodies:

- Its combined third to fifth periodic reports on the implementation of the Convention on the Rights of the Child.
- Its second periodic report on the implementation of the International Covenant on Civil and Political Rights.

75. Benin also submitted:

- Its combined initial and second periodic reports on the implementation of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.
- Its combined initial and second periodic reports on the implementation of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.
- Its combined initial and second periodic reports on the implementation of the African Charter on the Rights and Welfare of the Child.

76. Benin currently has a framework for cooperation with the International Criminal Court thanks to the adoption, in its Code of Criminal Procedure, of a title XIV devoted to the matter.

IV. Cooperation with international human rights mechanisms

77. During the period under review, Benin was visited by the following mechanisms:

- In May 2017, the Registrar of the International Residual Mechanism for Criminal Tribunals conducted a visit in the context of the ongoing revision of the framework agreement concerning the Rwandan prisoners held in Benin.
- From 27 March to 1 April 2017, an African symposium for human rights defenders was organized in Cotonou in partnership with the Special Rapporteur on Human Rights Defenders in Africa of the African Commission on Human and Peoples' Rights.
- From 8 to 11 January 2016, the Subcommittee on Prevention of Torture carried out a visit, following which it made recommendations on improving prison conditions and reducing overcrowding.
- From 28 October to 8 November 2013, a visit was conducted by the Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material, whose recommendations have formed the basis of a national action plan.

78. Benin reiterates its readiness to continue and strengthen its cooperation with the treaty bodies and special procedures, and once again commits itself to considering as expeditiously as possible, all requests for visits from United Nations human rights bodies.

V. Follow-up to, and implementation of, recommendations and commitments made during the second cycle

79. For the recommendations made during the second cycle of the universal periodic review to be implemented, action is needed on the ground to improve the situation of the entire population in all areas of human rights. This will require programming and budget capacity commensurate with what are immense needs.

A. Recommendations implemented fully

Universal periodic review procedure (recommendations Nos. 108.20 and 108.28)

80. Several workshops were organized to disseminate and implement the recommendations made during the 2012 universal periodic review. The workshops made it possible to draw up a 14-point national implementation plan. The implementation of this recommendation led to a greater understanding of the mechanism and the involvement of all stakeholders in the process.

B. Recommendations implemented partially

81. All the recommendations have been widely disseminated and are being implemented gradually through a comprehensive, participatory and inclusive approach.

International instruments and the harmonization of texts (recommendations Nos. 108.1-108.9, 108.14, 108.15, 108.21, 108.33, 108.61, 108.71, 108.74, 108.79 and 108.82)

82. The formalities concerning requests for ratification are being completed.

83. The process of bringing domestic law into line with international standards, which was initiated in 2012, has been stepped up since 2013 and has led to the adoption of various Codes, namely:

- The Code of Criminal Procedure
- The Code of Civil, Commercial, Social, Administrative and Accounting Procedure
- The Code on Private and State-owned Land
- The Electoral Code
- The Information and Communication Code
- The Children's Code

Justice (recommendations Nos. 108.9, 108.73, 108.78, 108.79, 108.80, 108.81 and 108.114)

84. The major justice reforms are founded on the two newly adopted codes of procedure (civil and criminal) and on the amending legislation on the organization of the judiciary and the establishment of commercial courts.

85. The Criminal Code, which is in the process of being adopted, has been reviewed several times to bring it into line with the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.

86. The legislative measures are supported by policy documents that translate into programmes and projects that are being implemented gradually. As part of the implementation of the National Justice Sector Policy adopted in October 2014, several

projects have been launched, including the Project to Improve Access to Justice and Ensure Accountability and the project to modernize prisons.

Rights of the child (recommendations Nos. 108.3, 108.13, 108.17, 108.29, 108.30, 108.31, 108.34, 108.40, 108.41, 108.44-49, 108.51, 108.59, 108.60-77, 108.101-105, 108.108, 108.110, 108.111, 108.114 and 108.115)

87. Benin has adopted the Children's Code, a national child protection policy and an action plan for its implementation.

88. In 2012, the General Directorate for Civil Status was created within the Ministry of the Interior and Public Security. As a result of its work and that of its partners, 25,231 schoolchildren without birth certificates have been registered since 2014. Moreover, 1,406 students in the final year of primary school have been issued with birth certificates.

89. Awareness-raising activities are undertaken by State and non-State actors to ensure that birth certificates are issued to children free of charge.

90. Other measures have been taken to improve the conditions of placement and care of minors in conflict with the law, including:

- A prohibition on the detention of minors under 13 years of age (Children's Code, art. 236)
- Criminal mediation (Children's Code, art. 240)
- In-service training for teachers at correctional schools

Death penalty (recommendations Nos. 108.4-9 and 108.32)

91. Since the entry into force of the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, the Minister of Justice has issued a widely publicized circular inviting courts to take into account the international commitments of Benin with regard to the death penalty pending the adoption of the Criminal Code.

92. A draft decree to commute the sentences of 14 death row prisoners to life sentences has been prepared and is in the process of being adopted.

Torture (recommendations Nos. 108.10, 108.11, 108.16, 108.26-27, 108.37-39, 108.45-47, 108.48-53, 108.55, 108.58-62, 108.65-68, 108.70 and 108.77)

93. The legislative framework has been strengthened through the adoption of new laws to prevent and punish acts of torture.

94. Various training programmes on the prevention of torture have been organized for criminal investigation officers, judges, doctors and social workers.

95. The perpetrators of acts of torture and other ill-treatment inflicted during judicial investigations are regularly prosecuted and sentenced to criminal and disciplinary penalties. The indictment chambers of the appeal courts impose penalties ranging from warnings to suspension from duty of criminal investigation officers. The Constitutional Court frequently hands down guilty verdicts for acts of torture and cruel, inhuman or degrading treatment committed by police officers.

Detention conditions (recommendations Nos. 108.12, 108.32-39 and 108.79)

96. The adoption of the Code of Criminal Procedure represents a major step forward in the protection of freedoms and individual rights in general, particularly those of detainees.

97. The Government has adopted a number of measures, including on the renovation of old prisons, the construction of new ones, the establishment of courts and other measures to improve prisoners' daily lives.

Women's rights (recommendations Nos. 108.13, 108.40, 108.42-49, 108.50-54, 108.70, 108.86, 108.87, 108.92, 108.104, 108.106, 108.108 and 108.114)

98. Benin:

- Adopted, in 2014, a document on the standard operating procedures to be followed in combating violence against women.
- Opened, on an experimental basis, three integrated support centres for victims of gender-based violence, which bring together doctors, psychologists, social workers and criminal investigation officers with relevant training. From 2014 to 2016, the three centres provided care to 1,673 victims, including 585 whose cases were handled by the police and 267 whose cases were brought to court.
- Organized several training and awareness-raising programmes on standard procedures and compliance therewith for key stakeholders. The impact of the various training programmes can be seen in terms of greater accountability and an increase in the number of claims, which rose from 5,000 in 2011 to over 13,000 in 2014.

99. The Government has continued its microcredit programme for the poorest people. The minimum loan amount has been increased from CFAF 30,000 to CFAF 50,000. Most of the beneficiaries are women. The programme has reduced income poverty, particularly among women, and has stimulated income-generating activities.

100. The Government Programme of Action for the period 2016-2021 provides for a project to support the economic empowerment of women.

Special procedures and treaty bodies (recommendations Nos. 108.21, 108.22-27, 108.36 and 108.61)

101. During its membership of the Human Rights Council from March 2011 to December 2014, Benin participated, at the international level, in the making of important decisions related to the promotion and protection of human rights.

102. Benin has always followed up on requests for visits from the special procedures, and expresses its willingness to cooperate further with these mechanisms.

Right to health (recommendations Nos. 108.27, 108.30-31, 108.85, 108.96, 108.98-100 and 108.101)

103. A health sector support programme (PASS-SOURCE) launched jointly by Benin and Belgium in March 2015 seeks to enhance public access to health care. CFAF 14 billion has been mobilized to that end. The fund is intended to: improve the reception of patients in health centres; guarantee the availability of care, medicines and other supplies; renew equipment; ensure that care is provided to poor patients; and give ongoing training to health workers.

104. From 12 to 14 March 2015, as part of the fight against malaria in sub-Saharan Africa, Benin hosted an international symposium on joining forces to combat parasitic diseases in sub-Saharan Africa. The purpose of the high-level meeting was to pool resources in order to heighten the impact of the crusade against malaria and other parasitic diseases in Africa.

105. In Benin, there is also a multisectoral institutional framework for consultation and partnership among State and non-State actors in the fight against HIV/AIDS, tuberculosis and malaria.

C. Recommendations pending (recommendation No. 107.1)

106. The Ministry of Foreign Affairs and Cooperation is making efforts to ratify the Kampala amendments to the Rome Statute as soon as possible.

D. Recommendations noted

Human rights, sexual orientation and gender identity (recommendations Nos. 110.1 to 110.5)

107. The position of Benin on the recommendations that it noted has not changed.

VI. Contribution of the international and regional community to the follow-up to, and implementation of, recommendations and commitments made during the second cycle

108. Benin has benefited from the support of the Office of the United Nations High Commissioner for Human Rights, the International Organization of la Francophonie, the African Commission on Human and Peoples' Rights, the United Nations Development Programme, the European Union, the United Nations Children's Fund and other multilateral and bilateral partners in implementing the recommendations brought to its attention, including those concerning the consolidation of institutions provided for in the Constitution, the introduction of reforms to the justice system, the reduction of prison overcrowding, the combating of violence against women and children and the protection of children by means of social, economic and cultural measures.

VII. Achievements, best practices, challenges and constraints

109. Despite the efforts made, the influence of certain cultural practices sometimes hinders respect for some rights.

110. The reporting period was marked by the preparation and, in some cases, adoption of a large number of laws and strategic plans, and by the submission of reports to the treaty bodies. Several achievements and best practices were recorded, including the adoption of a law on the promotion and protection of the rights of persons with disabilities, which aims to prevent disabilities through the adoption of an appropriate national health policy based on early detection and on the provision of assistance in the shape of vaccinations, nutrition, consultations, rehabilitation and treatment.

111. The law also establishes an "equal opportunities" card, which entitles holders to rights and benefits (at a reduced or no cost) in access to health care, rehabilitation and technical and financial support (tricycles, white canes, forearm crutches, wheelchairs). It grants tax exemptions for specific equipment used by persons with disabilities and for donations to associations that promote the rights of persons with disabilities. Violations of the law are punishable by penalties ranging from a fine to a prison term.

112. The law also promotes the right to employment, ensures the right to life of children with disabilities, improves the accessibility of buildings, roads, pavements, outdoor areas and means of transport, and enables persons with disabilities to exercise their rights as citizens by facilitating their access to polling stations.

113. Benin is continuing its programme to set up student clubs and train local representatives with the aim of establishing human rights focal points. Through the programme, several individuals have received human rights training at the municipal level and in general education establishments. These individuals serve as human rights advocates at the community level.

114. Under the programme, 1,112 individuals have received training in 58 communes in Benin.

115. A number of courses have been organized to train juvenile judges, law enforcement officers and representatives of civil society organizations in how to listen to children in conflict with the law.

116. During the reporting period, the Republic of Benin was confronted by difficulties and objective constraints that led to a delay in implementing some recommendations. The

difficulties included a lack of resources allocated to the implementation of certain programmes and projects.

117. Illiteracy and a lack of information, particularly in rural areas, form conditions that are not conducive to the assimilation of human rights standards by all citizens. Gender-based violence and unlawfully extended periods of custody are among a number of other challenges to be overcome in order to ensure better protection of human rights.

VIII. Priorities, initiatives and commitments

118. The third pillar of the Government Programme of Action for the period 2016-2021 focuses on improving the living conditions of the population.

119. In that connection, the Government of Benin has committed itself to introducing a new policy on social protection and access to basic social services for all citizens, particularly the most disadvantaged. To benefit the population, it will establish a policy to support the creation of income-generating activities through the provision of ongoing training, the promotion of entrepreneurship and the granting of credit to fund specific projects.

120. Steps are also being taken to provide access to drinking water for the entire population of Benin by 2021.

121. The Government Programme of Action that is currently being implemented consists of 45 flagship projects carried out by agencies under the direct supervision of the Office of the President of the Republic, 95 sectoral projects aimed at supporting the main activities of public-private partnerships and 19 institutional reforms intended to strengthen the rule of law and good governance.

122. The flagship projects include:

- The rehabilitation of Pendjari National Park
- The switchover to digital terrestrial television
- The construction of seaside resorts
- The development of the lower and middle Ouémé Valley
- The modernization and expansion of the port
- The development of Cotonou Lagoon
- The expansion of the road network by 1,362 kilometres
- The Cotonou northern bypass project
- The social housing programme
- The creation of an international city dedicated to innovation and knowledge
- The provision of social protection to the most disadvantaged

123. The implementation of these various programmes will make it possible to achieve comprehensive development throughout the country by 2021.

IX. Capacity-building and technical assistance needs

124. The challenges faced by Benin can be viewed as a set of key actions for which technical assistance is indispensable in order to overcome difficulties and constraints, and thereby implement measures to promote and afford better protection to all human rights in the country. These challenges are as follows:

- Capacity-building needs (the drafting of reports, the prevention of human trafficking and provision of care to victims and the protection of women and children)

- Reform of the prison system (the construction and equipment of new prisons, the acquisition of prisoner transport vehicles, the installation of solar power systems and the drilling of wells)
- The establishment of a human rights database
- The creation of a centralized civil registration system
- The expansion of the special programme on child-friendly courts

125. With regard to the challenges faced, the support of the international community is essential in order to enable Benin to meet the obligations stemming from the universal periodic review procedure and the observations and recommendations of the human rights treaty bodies.

Conclusion

126. Since the consideration of its previous report in October 2012, Benin has stepped up its efforts to improve the human rights situation. To that end, it has taken measures to combat poverty, strengthen the justice system, reduce prison overcrowding, combat violence against women and children and promote their economic, social and cultural rights.

127. Within the scope of its financial resources, Benin has not only taken all the necessary measures to bring its national legislation into conformity but has also developed national and sectoral human rights policies.

128. While it is true that Benin achieved enormous progress during the reporting period, there are still barriers that render additional resources necessary.

129. Benin therefore calls for international solidarity and support in carrying out the major projects that are under way to strengthen its capacity to take action in the interests of the well-being of its population.